

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN JIM SHOCKLEY**, on February 19, 2001 at 10:30 A.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Jim Shockley, Chairman (R)
Rep. Paul Clark, Vice Chairman (D)
Rep. Jeff Laszloffy, Vice Chairman (R)
Rep. Darrel Adams (R)
Rep. Gilda Clancy (R)
Rep. Aubyn A. Curtiss (R)
Rep. Bill Eggers (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Christopher Harris (D)
Rep. Joan Hurdle (D)
Rep. Jeff Mangan (D)
Rep. Brad Newman (D)
Rep. Mark Noennig (R)
Rep. Ken Peterson (R)
Rep. Diane Rice (R)
Rep. Bill Thomas (R)
Rep. Merlin Wolery (R)
Rep. Cindy Younkin (R)

Members Excused: Rep. Linda Holden (R)

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Mary Lou Schmitz, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing Date: **HB 590 2-16-01**
Executive Action: **HB 590 - Table**

EXECUTIVE ACTION ON HB 590

Due to weather conditions on the hearing date 2-16-01, proponents were allowed to speak at this time.

Proponents: Claudia Stephens, Montana Migrant Council, Inc., Billings said their purpose is to provide comprehensive primary and preventive health care to migrant and seasonal farm workers and their families. They have a full time year-round clinic in Billings, Fairview, Glendive, Hardin, Bridger, Hysham, Forsyth, and a mobile and satellite clinic that operates in western Montana between Polson and Big Fork. There are nurses and nurse practitioners who provide direct care to patients, and for care outside of their scope, they work with doctors, dentists and other health care providers in the communities they work in.

Ms. Stephens said their specialty is in increasing access to care where, for example, they take their mobile clinic to the rural areas and their nurses provide care through that. They also go out into the rural areas and contact potentially eligible persons. Most of their patients are United States citizens. These are individuals who may come from other states but also are here living year-round. Most of the clients are from Hispanic background but they also have many Anglo patients as well. The health care problems that they see mirror the same as in the general population. The problem is the access to care.

There are about 10,000 individuals potentially eligible for the services they provide. Presently, about 200 persons are benefitting from Medicaid. The population they serve is potentially eligible for Medicaid, primarily because of their income level. The majority of the patients are below poverty level and without insurance.

With the Medicaid reform that this Bill is advocating, it is possible that up to 16% or 1,018 individuals could benefit from this program in addition to what is happening now. It is important to note that the title of this Bill may be identified as "farm worker". However, the text of this Bill is benefitting all children and is not limited to migrant farm workers.

EXHIBIT (juh41a01)

John Hein, Montana Primary Care Association, said they represent community and migrant health centers, rural health clinics and Federally qualified health centers around the state. One of the aspects of this Bill that needs to be addressed is the resource

test. It is a huge barrier currently within Medicaid, and Montana is one of the few states left that requires a resource test. Along with the joint application with Children's Health Insurance Program (CHIP) which does not require a resource test, Medicaid does. This Bill would eliminate the resource test and provide care for those other uninsured people in Montana.

Questions from the Committee: Rep. Clancy to Ms. Stephens for clarification concerning residency in Montana. On the Medicaid-Chip joint application, it states a migrant farm worker is considered a resident while they are living in the state.

This Bill is a benefit to all persons, regardless of occupation. It also specifically identifies children.

Reps. Noennig, Adams, Laszloffy, Curtiss, Peterson, Rice to Ms. Stephens and Mr. Hein for clarification of eligibility requirement and resource test. In response to a question by **Rep. Adams**, the federal poverty level is \$16,000.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 29.7}

Closing by Sponsor: Rep. Hurdle closed the Hearing on HB 590.

EXECUTIVE ACTION ON HB 590

Motion: REP. HURDLE moved that HB 590 DO PASS. #1

Discussion: Rep. Clancy, Gallus, Curtiss, Rice, Laszloffy, Clark, Noennig, Hurdle cited personal experience with migrant worker issues.

{Tape : 2; Side : A; Approx. Time Counter : 0.1 - 5}

Vote: Motion #1 failed 8-11 with Reps. Shockley, Laszloffy, Adams, Clancy, Curtiss, Noennig, Peterson, Rice, Thomas, Wolery and Younkin voting no.

Motion/Vote: REP. LASZLOFFY moved that HB 590 BE TABLED. #2
Motion carried on a reverse vote 11-8 with Reps. Clark, Eggers, Gallus, Gutsche, Harris, Hurdle, Mangan and Newman voting no.

EXECUTIVE ACTION ON HB 54

Motion/Vote: REP. NEWMAN moved that HB 54 Be Taken off the Table.
#3 **EXHIBIT**(juh41a02) Motion failed 8-12 with Reps. Shockley,

Laszloffy, Adams, Clancy, Curtiss, Holden, Noennig, Peterson, Rice, Thomas, Wolery and Younkin voting no.

EXECUTIVE ACTION ON HB 233

Motion/Vote: REP. NEWMAN moved HB 233 taken off the TABLE. #4
Motion failed 9-11 with Reps. Shockley, Laszloffy, Adams, Clancy, Curtiss, Holden, Peterson, Rice, Thomas, Wolery, Younkin voting no.

ADJOURNMENT

Adjournment: 11:40 A.M.

REP. JIM SHOCKLEY, Chairman

MARY LOU SCHMITZ, Secretary

JS/MS

EXHIBIT (juh41aad)